



UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 12 2004

TRADEMARK OFFICE

APPLICATION NUMBER

10/762,582

FILING OR 371 (c) DATE

01/23/2004

FIRST NAMED APPLICANT

Kai Licha

JUN 16 2004

RECEIVED
Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Arlington, VA 22214-1450
www.uspto.gov

ATTORNEY DOCKET NUMBER
BOEHMER-1

CONFIRMATION NO. 3021

23599
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

CASE _____

ACTION Miss Pts DueDUE DATE 08/14/04

FORMALITIES LETTER



OC000000012933136

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/13/2004 SMINASS1 00000008 10762582

FILED UNDER 37 CFR 1.53(b)

CASE _____

01 FC:1001 770.00 0P
02 FC:1202 252.00 0P
03 FC:1051 130.00 0P

Filing Date Granted

ACTION _____

DUE DATE _____

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$252** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1152** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

BEST AVAILABLE COPY

Dated
06/16/04
128

- Total additional claim fee(s) for this application is \$252
 - \$252 for 14 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kai LICHA et al.

Group Art Unit 1646

Serial No.: 10/762,582

Examiner: Unassigned

Filed: January 23, 2004

For: HYDROPHILIC, THIOL-REACTIVE CYANINE DYES AND CONJUGATES THEREOF
WITH BIOMOLECULES FOR FLUORESCENCE DIAGNOSIS

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

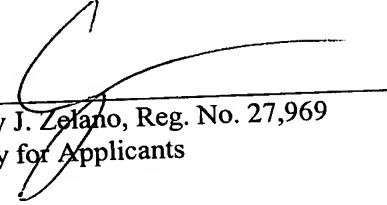
In response to the Notice to File Missing Parts dated June 14, 2004:

- Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- Applicant(s) include the filing fee of \$770.00.
- Applicant(s) include the extra claims fee of \$252.00.
- Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No.).
- Attached is a copy of the Notice to File Missing Parts.
- Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one/two/three/four/five month(s) along with the fee of \$110.00/\$410.00/\$930.00/\$1450.00/\$1970.00.
- Applicant(s) are entitled to small entity status.
- Attached is a verified English translation of the language text filed on along with the fee of \$130.00.
- Applicant(s) provide the title of the invention/inventor(s) name(s) and address(es) on the attached provisional application cover sheet along with the \$50/\$25 surcharge.
- Attached is the Sequence Disclosure as required.

- Attached is the Substitute Specification as required.
- Attached are the substitute drawings as required.
- Attached is an English translation of the application.
- Attached is a certified copy of French Application No. filed on Acknowledgment of receipt of this document is hereby requested.

Attached is a check in the amount of \$ 1152.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



Anthony J. Zelano, Reg. No. 27,969
Attorney for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703)243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: BOEHMER-1

Date: August 12, 2004

AJZ:aap

K:\BOEHMER\1\Missing Parts Response.doc